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Date: July 14, 2003

Docket No.: 0147-0250P

### MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/043,302 filed on June 8, 1998, the entire contents of which are hereby incorporated by reference,  
by

Thomas F. MEYER, Thomas RUDEL, Ina SCHEUERPFUG, Eckhard FISCHER,  
Jurgen MAIER, Sandra EICKERNJAGER, Thomas SCHWAN

for

NUCLEIC ACID MOLECULES ENCODING PROTEINS WHICH IMPORT THE  
ADHESION OF NEISSERIA CELLS TO HUMAN CELLS

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. ☒ The filing fee has been calculated as follows:

	BASIC FEE		LARGE ENTITY	SMALL ENTITY
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
<b>TOTAL CLAIMS</b>	9-20 =	0	x 18 = \$0.00	x 9 = \$0.00
<b>INDEPENDENT CLAIMS</b>	1-3 =	0	x 84 = \$0.00	x 42 = \$0.00
<input type="checkbox"/> <b>MULTIPLE DEPENDENT CLAIMS PRESENTED</b>			+ \$280.00	+ \$140.00
	<b>TOTAL</b>		\$0.00	\$375.00

3. ☒ A check in the amount of \$375.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/043,302, filed on June 8, 1998, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--
- b. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/043,302, filed on June 8, 1998, and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/043,302 is the national phase of PCT International Application No. PCT/EP96/04092 filed on September 18, 1996 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. 19534579.7 filed in Germany on September 18, 1995 under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are four (4) sheet(s) of formal drawings and/or photographs.
- 7a. ☒ A statement claiming small entity status was filed in prior Application No. 09/043,302 on September 9, 1998. See the attached copy of the statement claiming small entity status.
- 7b. ☒ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to MAX-PLANCK-GESELLSCHAFT ZUR FORDERUNG DER WISSENSCHAFTEN e.V.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b. ☒ Priority of International Appln. PCT/EP96/04092 filed on September 18, 1996 under the Patent Cooperation Treaty and German Application No. 19534579.7 filed in Germany on September 18, 1995 under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
  
or  
Customer No. 002292
13. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/043,302 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

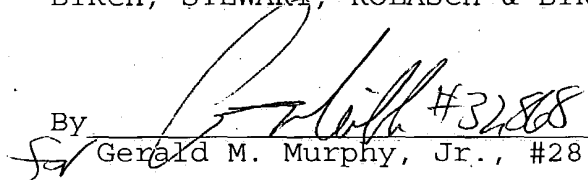
Docket No. 0147-0250P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

 #3288

Gerald M. Murphy, Jr., #28,977

*KLR*  
GMM/KLR:gml  
0147-0250P

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Attachment(s)

(Rev. 04/30/03)